

Minutes of the
Bountiful City Council Meeting
City Council Chambers
October 23, 2007 - 7:00 p.m.

Present:	Mayor Pro Tempore:	Tom Tolman
	Council Members:	Richard Higginson, Barbara Holt, and Scott Myers
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Director:	Galen Rasmussen
	Planning Director:	Aric Jensen
	Department Repre:	Allen Johnson, Power Tom Ross, Police Brett Eggett, Water/Sewer Jerry Wilson, Parks
	Recording Secretary:	Nancy T. Lawrence
Excused:	Mayor:	Joe L. Johnson
	Councilman:	R. Fred Moss

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Pro-tem Tolman called the meeting to order at 7:05 p.m., following which Sam Nelson, visiting Boy Scout, led the pledge of allegiance to the flag. Mr. Rowland offered the prayer/thought. In response to a question from the Council, Mr. Hardy reported that Election Night returns will be followed from the Council Chambers at City Hall. (All results will be taken to the County for tabulating and the results will be electronically sent to City Hall).

APPROVAL OF MINUTES POSTPONED

Minutes of the regular City Council meeting held October 9, 2007 will be presented for approval at the next regular meeting.

EXPENDITURES AND EXPENSES APPROVED

Mayor Pro-tem Tolman presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with respective totals: September 27 - October 3, 2007 (\$558,464.95); October 4 - 10, 2007 (\$865,231.87); monthly Summary for August 2007 (\$5,046,705.37); and the monthly Summary for September 2007 (\$4,530,289.52). Following a short discussion, Councilman Higginson made a motion to accept the four Expenditure Reports, as presented. Councilman Myers seconded the motion which carried unanimously. Councilpersons Higginson, Holt, and Myers voted "aye".

APPROVAL GIVEN TO PURCHASE TWO PICKUP TRUCKS FOR WATER DEPARTMENT

Mr. Eggett reported that the Water Department included \$42,000.00 in the current year budget for two new trucks. He requested permission to purchase a half-ton Dodge pickup

1 (\$23,165.00) and a Dodge Dakota pickup (\$17,460.00) from Ken Garff at the State contract prices,
2 as noted. Councilman Myers made a motion to approve the purchase as requested. Councilman
3 Higginson seconded the motion and voting was unanimous with Councilpersons Higginson, Holt
4 and Myers voting "aye".

5
6 **BID AWARDED FOR BARTON CREEK**
7 **BOOSTER STATION ELECTRICAL UPGRADE**

8 Mr. Eggett reported that the Barton Creek Booster Station needs to be upgraded which will
9 include replacing two old non-functional pumps and upgrading the electrical system to
10 accommodate them. Bids were requested for the electrical equipment and it is the recommendation
11 of staff to accept the low bid from I-D Electric in the amount of \$29,531.00. This expense will be
12 charged to account 51-5100-1651-000 which has an unused balance of \$110,000.00. Councilman
13 Higginson motioned to approve this purchase, as recommended. Councilwoman Holt seconded the
14 motion and voting was unanimous. Councilpersons Higginson, Holt and Myers voted "aye".

15
16 **PURCHASE OF TRUCK SERVICE BODY APPROVED**
17 **FOR POWER DEPARTMENT**

18 Mr. Johnson presented a request from the Power Department to purchase a truck service
19 body to go with the truck which was approved for purchase in August. He said that bids were
20 received from five companies and it is the recommendation of staff and the Power Commission to
21 approve the low bid from D&A Truck Equipment (\$16,662.80) for the service body. This
22 purchase will be within the amount budgeted for the complete unit (\$49,000.00). Councilwoman
23 Holt made a motion to accept the low bid from D&A Truck Equipment, as recommended.
24 Councilman Myers seconded the motion and voting was unanimous with Councilpersons
25 Higginson, Holt and Myers voting "aye".

26
27 **PRELIMINARY AND FINAL COMMERCIAL SITE PLAN**
28 **APPROVAL GRANTED TO MACKAY DENTAL OFFICE BLDG.**

29 Mr. Jensen presented the request for preliminary and final site plan approval for an office
30 building located at 280 North 200 West which is presently zoned P-O. He said that this request has
31 been discussed by the Planning Commission and it is the recommendation of that body, together
32 with staff, that preliminary and final approval be granted, subject to the following conditions:

- 33 1) Redline corrections made
- 34 2) The landscaping plan and landscaping be completed to the satisfaction of the Planning
35 Director prior to final occupancy approval
- 36 3) The stormwater fee be waived because of the onsite detention
- 37 4) If building code requires a second egress from the upper floor, it may not be on the
38 exterior of the building.

39 Councilman Higginson made a motion to grant preliminary and final commercial site plan
40 approval, with the conditions as given. Councilman Myers seconded the motion and voting was
41 unanimous. Councilpersons Higginson, Holt and Myers voted "aye".

42
43 **PUBLIC HEARING TO CONSIDER ZONE MAP AMENDMENT**
44 **R-F (RESIDENTIAL FOOTHILL) TO R-3 (RESIDENTIAL SINGLE FAMILY)**

45 Mayor Pro-tem Tolman reviewed that the Planning Commission heard the request of Randy
46 Lewis (applicant) for a zone map amendment from Residential Foothill (R-F) to Residential Single
47 Family (R-3) for a parcel of land located at the northern terminus of Skyline Drive. The parcel is
48 commonly referred to as "the old Eagleridge Subdivision Plat D", although it was never actually

1 subdivided (recorded). The proposed subdivision would be composed of 3 lots, with an average lot
2 size of 3 acres. The Planning Commission heard comments from approximately 14 individuals
3 (mostly negative to the request) and after hearing the comments, recommended denial of the
4 petition for rezone. The motion carried 6-0. The motion contained no findings and gave no
5 explanation for the recommendation.
6

7 Mr. Mahan reviewed that it is a general provision of law that any action without findings is
8 arbitrary and capricious. Therefore, it is the recommendation of staff that the Council hold the
9 public hearing as scheduled and then after closing the public hearing continue the item in order for
10 the Planning Commission to prepare findings supporting their motion.
11

12 At 7:25 p.m. the Mayor Pro-tem opened the public hearing and Joseph Rust (1403 East
13 Northridge Drive) spoke in opposition to the rezone request noting that the current zoning (R-F)
14 has been in place for some time and was developed to protect the integrity of the foothills. Lynn
15 Barnett (1244 East Northridge Drive) spoke in opposition and requested that the Council deny the
16 re-zone request based on protecting the foothill area from improper development (as provided for
17 in the current zone).
18

19 Randy Lewis reviewed the proposed plan for the property, if the re-zone is approved, and
20 noted that every precaution is being taken to mitigate any negative issues (such as cuts and fills,
21 drainage, etc.). Alan Mortensen (1364 East Northridge Drive) supported the positions voiced by
22 Mr. Rust and Mr. Barnett and noted that the Council should rely on the expertise of the Planning
23 Commission.
24

25 Councilwoman Holt referred to the Planning Commission as the advisory board for the
26 Council and she stated that she would like to continue the item and remand the issue back to the
27 Planning Commission at their next regular meeting (November 20, 2007) with instructions to
28 prepare findings to support their recommendation. A final decision can then be made by the City
29 Council at the next regular meeting of the Council (November 27, 2007). Councilwoman Holt
30 made a motion to this effect, Councilman Higginson seconded the motion and voting was
31 unanimous with Councilpersons Higginson, Holt, Myers and Tolman voting "aye".
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33 **COUNCIL COMMITTEE REPORTS**

34 _____ Mr. Hardy asked if the Council wanted the City to distribute "Vote Today" signs in
35 preparation for the upcoming election. The Council concurred that this would not be necessary,
36 based on the fact that there is a lot of publicity on several ballot issues this year and the opportunity
37 to vote early has already started.
38

39 The meeting adjourned at 8:00 p.m. on a motion made by Councilman Higginson and
40 seconded by Councilman Myers. Voting was unanimous with Councilpersons Higginson, Holt and
41 Myers voting "aye".
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45 _____
46 TOM TOLMAN, Mayor Pro Tempore

47 _____
48 KIM J. COLEMAN, City Recorder
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